

1/21/03



PATENT APPLICATION  
Docket No.: 302705.3001-105  
Prior Docket No. SYP-137CPC1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Marvin L. Vestal

Application No.: 10/023,203 Group Art Unit: 2881

Filed: December 17, 2001 Examiner: Anderson, Bruce

Title: A Tandem Time-of-Flight Mass Spectrometer with Delayed Extraction and Method for Use

13 / IDS  
E. Villis  
6-30-03

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231	
on <u>January 21, 2003</u>	<u>Jennifer Menard</u>
Date	Signature
<u>Jennifer Menard</u>	
Typed or printed name of person signing certificate	

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.129(a), or  
(First/Second submission after Final Rejection)
- ☒ under 37 CFR 1.97(b), or  
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
- ☐ under 37 CFR 1.97(c) together with either:  
☐ a Statement under 37 CFR 1.97(e), as checked below, or  
☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:  
☐ a Statement under 37 CFR 1.97(e), as checked below, and  
☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
- ☐ under 37 CFR 1.97(i):  
Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.  
(Filed after payment of issue fee)

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Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

Enclosed herewith is form PTO-1449:

- ☐ Copies of the cited references are enclosed.
- ☒ Copies of cited references are enclosed, except those entered in prior application, U.S. Application No. 09/233,703, to which priority under 35 U.S.C. 120 is claimed. The earlier application contains copies of the cited references.
- ☐ Listed references [ ] were cited in the enclosed International Search Report in a counterpart foreign application.

Concise Explanation Requirement (non-English references):

- ☐ The "concise explanation" requirement (non-English references) for reference(s) [ ] under 37 CFR 1.98(a)(3) is satisfied by:
  - ☐ the explanation provided on the attached sheet.
  - ☐ the explanation provided in the Specification.
  - ☐ submission of the enclosed International Search Report.
  - ☐ the enclosed English language abstract.

☐ Applicant requests that the following pending applications be considered:

Examiner's  
Initials

\_\_\_\_ U.S. Patent Application No. [ ], Publication No. [ ], Publication Date [ ],  
by [inventor(s)], filed [ ], Docket No.: [ ]

\_\_\_\_ U.S. Patent Application No. [ ], Publication No. [ ], Publication Date [ ],  
by [inventor(s)], filed [ ], Docket No.: [ ]

\_\_\_\_ U.S. Patent Application No. [ ], Publication No. [ ], Publication Date [ ],  
by [inventor(s)], filed [ ], Docket No.: [ ]

\_\_\_\_\_  
Examiner

\_\_\_\_\_  
Date

☐ A copy of each above-cited application, including the current claims, is enclosed.

☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.

☐ Please charge Deposit Account 50-1191 in the amount of \$180.00. A copy of this Statement is enclosed.

☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 50-1935.

Respectfully submitted,

BOWDITCH & DEWEY, LLP

By

  
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INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

January 20, 2003

(Use several sheets if necessary)

ATTORNEY DOCKET NO.  
302705.3001-105  
(SYP-137PC1)APPLICATION NO.  
10/023,203APPLICANT  
Marvin L. VestalFILING DATE  
December 17, 2001GROUP ART UNIT  
2881

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## U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	A1	4,731,533	03/15/88	Vestal	250	292	
	A2	5,032,722	07/16/91	Boesl et al.	250	287	
	A3	5,144,127	09/01/92	Williams et al.	250	287	
	A4	5,118,937	06/02/92	Hillenkamp et al.	250	282	
	A5	5,202,563	04/13/93	Cotter et al.	250	287	
	A6	5,206,508	04/27/93	Alderdice et al.	250	287	
	A7	5,233,189	08/03/93	Wollnik	250	287	
	A8	5,464,985	11/07/95	Cornish et al.	250	396	
	A9	5,625,184	04/29/97	Vestal et al.	250	287	
	A10	5,627,369	05/06/97	Vestal et al.	250	287	
	A11	5,654,545	08/05/97	Holle et al.	250	287	
	A12	5,696,375	12/09/97	Park et al.	250	287	
	A13	5,734,161	03/31/98	Köster	250	287	
	A14	5,744,797	04/28/98	Park	250	287	
	A15	5,753,909	05/19/98	Park et al.	250	287	

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
	B1	WO 97/48120	18 Dec 1997	PCT			

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

C1	Boesl, et al., "Reflectron time-of-flight mass spectrometry and laser excitation for the analysis of neutrals, ionized molecules and secondary fragments", <i>International Journal of Mass Spectrometry and Ion Process</i> 112:121-166 (1992).
C2	Ioanoviciu, D., "The application of ion optics in time-of-flight mass spectrometry," <i>International Journal of Mass Spectrometry and Ion Process</i> 131:43-65 (1994).
C3	Jacobson, et al., "Applications of Mass Spectrometry to DNA Sequencing," <i>GATA</i> 8(8):223-229
C4	McLucky et al., "Tandem Mass Spectrometry of Small, Multiply Charged Oligonucleotides," <i>Journal of American Society Mass Spectrom</i> 3:60-70 (1992).

EXAMINER

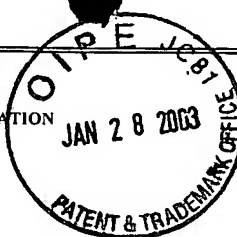
DATE CONSIDERED

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## U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	A16	5,854,484	12/29/98	Bergmann	250	287	
	A17	5,854,485	12/29/98	Bergmann	250	287	
	A18	6,011,259	01/2000	Whitehouse <i>et al.</i>	250	288	
	A19	6,040,575	03/2000	Whitehouse <i>et al.</i>	250	282	
	A20	6,204,500	03/2001	Whitehouse	250	287	
	A21	6,348,668	02/19/02	Vestal			

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	C5	International Search Report dated August 16, 1999 of corresponding PCT Application No. PCT/US99/02599					

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